

REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed February 9, 2003. Claims 1, 2-14, and 16-22 were objected to. Claims 1, 2-14, and 16-22 were rejected. The claims have been amended to address the concerns raised by the Examiner.

Claims 1-22 were originally presented. Claims 1, 2-14, and 16-22 remain in the application. Claims 2 and 15 were canceled by previous amendment. Claims 1, 3, 6-7, 10, 14 and 18-20 have been amended. No new claims have been added. No new subject matter has been added.

The indication of allowable subject matter in claims 3, 5, 8-9, 17-18, and 20-21, if rewritten in independent form, is acknowledged with appreciation. The Applicant notes that claim 20 was previously presented in independent form.

Claim Objections

Claims 1, 3-14, and 16-22 were objected to because of various informalities. The Applicant has amended claims 1, 3, 6-7, 10, 14 and 18-20 in response to the Examiner's objections, and submits that the informalities noted by the Examiner have been corrected. The Applicant thus respectfully requests that the objections be withdrawn.

Claim Rejections - 35 U.S.C. § 112

Claims 1, 3-13, and 18-21 were rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Applicant has amended claims 1, 3, 6-7, 10, 14 and 18-20 in response to the Examiner's rejections, and submits that the claims as now presented are definite and clear. The Applicant thus respectfully requests that the rejections be withdrawn.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 4, 6-7, 10-14, 16, 19 and 22 (including independent claims 1 and 14) were rejected under 35 U.S.C. § 103 as being unpatentable over Park in view of Minovitch.

The Applicant respectfully submits that the Park and Minovitch references, when combined, do not teach or suggest all of the elements of independent claims 1 and 14. Specifically, neither Park nor Minovitch teach a guideway with a transition lane oriented substantially parallel to a transit lane, with rider access portals disposed in a side of the guideway adjacent to the transition lane. Additionally, Park does not have rider access portals disposed in a side of a guideway with two parallel lanes, and Minovitch does not provide a guideway with a transit lane and a transition lane. Furthermore, with respect to claim 14, neither Park nor Monovitch allow autonomous vehicles to transition between a transit lane and a transition lane.

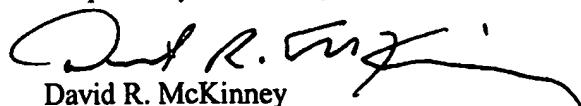
Accordingly, the Applicant respectfully submits that independent claims 1 and 14 as now presented are in condition for allowance over the cited art, and dependent claims 4, 6-7, 10-13, 16, 19 and 22 are allowable as being dependent upon an allowable base claim. Therefore, Applicant respectfully submits that claims 1, 4, 6-7, 10-14, 16, 19 and 22 as now presented are allowable, and urges the Examiner to withdraw the rejections.

CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 1, 2-14, and 16-22 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call the undersigned at (801) 746-8500 so that such matters may be resolved as expeditiously as possible.

DATED this 6 day of May, 2005.

Respectfully submitted,


David R. McKinney
Registration No. 42,868

Customer No. 22,147
8 East Broadway, Suite 500
Salt Lake City, Utah 84111
Telephone: (801) 746-8500